IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

WEDNESDAY, THE 20TH JUNE 2007 / 30TH JYAISHTA 1929

OP.No. 8235 of 1998(E)

PETITIONER:

PATODIA SYNTEX LIMITED, RAHEJA CHAMBERS, 213, NARIMAN POINT, MUMBAI – 400 021, REP.BY ITS MANAGER, S.D.GUPTA.

BY ADV. SRI.ANTONY DOMINIC

RESPONDENTS:
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1. **GENERAL MANAGER, DISTRICT INDUSTRIES CENTRE, PALAKKAD.**

2. **DIRECTOR OF INDUSTRIES AND COMMERCE, VIKAS BHAVN, THIRUVANANTHAPURAM.**

ADDL. R3 IMPLEADED.

3, **EMPEE GROUP OF COMPANIES, 695, ANNASALAI, CHENNAI : 600 006, REP.BY ITS VICE PRESIDENT (PROJECTS), N.VIJAYAN.**

IMPLEADED AS ADDL.R3 AS PER ORDER DT. 20.5.98 IN CMP. 14272/98.

BY ADV. SRI.K.P.DANDAPANI
SMT.SUMATHY DANDAPANI
BY GOVERNMENT PLEADER SMT.K.R.DEEPA

THIS ORIGINAL PETITION HAVING BEEN FINALLY HEARD ON 20/06/2007, ALONG WITH OP NO. 21474 OF 2000 THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ORDER ON CMP. NO.14112/1998 IN OP. NO.8235/1998

DISMISSED

20.06.2007 **SD/- KURIAN JOSEPH, JUDGE**

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1:- COPY OF THE GOVERNMENT ORDER DT. 5.4.69 ALONG WITH ITS APPENDIX.

EXT.P2:- COPY OF THE ORDER DT. 22.9.93 ISSUED BY THE 1ST RESPONDENT.

EXT.P3:- COPY OF THE AGREEMENT DT. 22.9.93 BETWEEN THE GOVERNMENT AND THE PETITIONER.

EXT.P4:- COPY OF THE CERTIFICATE DT. 12.10.93 ISSUED BY THE 1ST RESPONDENT.

EXT.P5:- COPY OF THE LETTER DT. 9.2.96 FROM THE PETITIONER TO THE 1ST RESPONDENT

EXT.P6:- COPY OF THE LETTER DT. 16.12.96 FROM THE PETITIONER TO THE 1ST RESPONDENT.

EXT.P7:- COPY OF THE ORDER DT. 14.2.97 ISSUED BY THE 1ST RESPONDENT.

EXT.P8:- COPY OF THE LETTER DT. 27.3.97 FROM THE PETITIONER TO THE 1ST RESPONDENT.

EXT.P9:- COPY OF THE LETTER DT. 27.3.97 FROM M/S.EUROWEAVE INDUSTRIES LIMITED TO THE 1ST RESPONDENT.
EXT.P10:- COPY OF THE LETTER DT. 3.11.97 FROM THE 1ST RESPONDENT TO THE PETITIONER.

EXT.P11:- COPY OF THE LETTER DT. 1.12.97 FROM THE PETITIONER TO THE 1ST RESPONDENT.

EXT.P12:- COPY OF THE REPRESENTATION DT. 25.12.97 FROM THE PETITIONER TO THE 1ST RESPONDENT.

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EXT.P13:- COPY OF THE LETTER DT. 20.5.97 FROM THE KERALA STATE ELECTRICITY BOARD.

EXT.P14:- COPY OF THE LETTER DT.4.12.97 FROM THE EUROWEAVE INDUSTRIES LIMITED.

EXT.P15:- COPY OF THE ORDER DT. 3.4.98 ISSUED BY THE 1ST RESPONDENT.

RESPONDENTS EXHIBITS

EXT.R1(a):- COPY OF THE LETTER DT. 20.12.95.

EXT.R1(b):- COPY OF THE LETTER DT. 15.1.96.

EXT.R1(c):- COPY OF THE PROCEEDINGS OF THE GENERAL MANAGER D.I.C. PALAKKAD DT. 3.4.98.

KURIAN JOSEPH J.

O.P. Nos.8235/98 & 21474/2000

Dated 20th June, 2007.

J U D G M E N T

Petitioners in these cases approached this Court with certain grievances regarding, resumption of the industrial plot allotted to them as far as the petitioner in the former writ petition and the valuation of the improvements as far as the petitioner in the latter writ petition. Though the petitioner in the former writ petition has taken several contentions with regard to the resumption, in view of the intervening developments, it is fairly submitted that the relief that is pressed at this point of time is only their claim for costs of land, improvements etc., with interest. As far as the petitioner in O.P.21474/2000 is concerned, the grievance is with regard to the valuation as adopted in Ext.P14 by the first respondent. Learned Government Pleader submits that since the proceedings are at the instance of the District Industries

Centre, going by the guidelines governing the assessment, valuation etc., the petitioners have a remedy before the Director of Industries. Therefore, the writ petitions are disposed of as follows :-

Petitioners in both writ petitions may file an appropriate representation before the Director of Industries, with regard to their surviving grievances within two months from today. The Director shall consider the matter with notice to the petitioners and other affected/interested parties, and take appropriate action in accordance with law, within another four months. The interim order passed by this Court in C.M.P.No.36074/2000 in O.P.No.21474/2000 will continue till such time.

KURIAN JOSEPH, JUDGE.

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KURIAN JOSEPH, J.

O.P. Nos.8235/98 & 21474/2000

J U D G M E N T

Dated 20th June, 2007.